

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

April 29, 2014

BCO-075

No. 14-8037

CRYSTAL BYRD; BRIAN BYRD,
Individually, and on Behalf of all Similarly Situated Persons,
Petitioners

v.

AARON’S, INC.; ASPEN WAY ENTERPRISES, INC.,
d/b/a Aaron’s Sales and Leasing, a franchisee of Aaron’s Inc.;
DESIGNERWARE, LLC; AH&H LEASING, LLC,
d/b/a Aaron’s Sales and Leasing, a franchisee of Aaron’s Inc.;
AMG ENTERPRISES GROUP, LLC, d/b/a Aaron’s Sales and Leasing,
a franchisee of Aaron’s Inc.; ARONA CORPORATION, d/b/a Aaron’s Sales
and Leasing, a franchisee of Aaron’s Inc.; BEAR RENTAL PURCHASE, LTD,
d/b/a Aaron’s Sales and Leasing, a franchisee of Aaron’s Inc.;
BOXER ENTERPRISE, INC, d/b/a Aaron’s Sales and Leasing,
a franchisee of Aaron’s Inc.; CIRCLE CITY RENTALS,
d/b/a Aaron’s Sales and Leasing, a franchisee of Aaron’s Inc.;
CMH LEASING PARTNERS, LLC; d/b/a Aaron’s Sales and Leasing,
a franchisee of Aaron’s Inc.; CRAM LEASING, INC,
d/b/a Aaron’s Sales and Leasing, a franchisee of Aaron’s Inc.;
DC SALES AND LEASE, INC., d/b/a Aaron’s Sales and Leasing, a franchisee of
Aaron’s Inc.; DIRIGO LEASING, INC., d/b/a Aaron’s Sales and Leasing,
a franchisee of Aaron’s Inc.; DPR ALASKA, LLC, d/b/a Aaron’s Sales
and Leasing, a franchisee of Aaron’s Inc.; DPR COLORADO, LLC,
d/b/a Aaron’s Sales and Leasing, a franchisee of Aaron’s Inc.;
DW3 LLC, d/b/a Aaron’s Sales and Leasing, a franchisee of Aaron’s Inc.;
DWC VENTURES, LLC, d/b/a Aaron’s Sales and Leasing,
a franchisee of Aaron’s Inc.; FAIRWAY LEASING, LLC,
d/b/a Aaron’s Sales and Leasing, a franchisee of Aaron’s Inc.;
FIVE STAR FINANCIALS, LLC, d/b/a Aaron’s Sales and Leasing, a franchisee of
Aaron’s Inc.; FT GOT THREE, LLC, d/b/a Aaron’s Sales and Leasing, a franchisee of
Aaron’s Inc.; GNS & ASSOCIATES, INC., d/b/a Aaron’s Sales and Leasing, a
franchisee of Aaron’s Inc.; GREAT AMERICAN RENT-TO-OWN, INC.,
d/b/a Aaron’s Sales and Leasing, a franchisee of Aaron’s Inc.;
GREEN RIVER CORPORATION, d/b/a Aaron’s Sales and Leasing, a franchisee of
Aaron’s Inc.; HANSON HOLDING COMPANY, d/b/a Aaron’s Sales and Leasing, a
franchisee of Aaron’s Inc.; HONEY HARBOR INVESTMENTS, LLC,

d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.;
 HOWARD RENTS, LLC, d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.;
 HPH INVESTMENTS, LLC, d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.; J&L BEACH ENTERPRISES, INC., d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.; J.R. RENTS, INC., d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.; J.M. DARDEN AND COMPANY, d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.; JENFOUR, LLC, d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.; JENKINS RENTAL, LLC, d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.; KFL ENTERPRISES, LLC, d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.; LIFESTYLE FURNITURE LEASING, d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.; LTL INVESTMENTS, LLC, d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.;
 MADISON CAPITAL INVESTMENTS, INC., d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.; MKW INVESTMENTS, INC., d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.; NO THREE PUTTS ENTERPRISES, LLC, d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.;
 NW FREEDOM CORP., d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.; POMONA LANE PARTNERS, LLC, d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.; R & DOUBLE K, LLC, d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.; REBCO INVESTMENTS, LLC, d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.; REX NEAL, INC., d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.; ROYAL RENTS, INC., d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.; ROYAL ROCKET RETAIL, LLC, d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.; SHINING STAR, d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.; SHOWCASE HOME FURNISHINGS, INC., d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.;
 SULTAN FINANCIAL CORP., d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.; TANGLEWOOD MANAGEMENT, LLC, d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.; TDS FOODS, INC., d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.; TUR, INC., d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.; WATERSHED DEVELOPMENT CORPORATION, d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.; WGC, LLC, d/b/a Aaron's Sales and Leasing, a franchisee of Aaron's Inc.; JOHN DOES (1 – 45) AARON'S FRANCHISEES

(W.D. Pa. No. 1-11-cv-00101)

Present: AMBRO, CHAGARES and VANASKIE, Circuit Judges

1. Petition for Permission to Appeal Pursuant to Fed. R. Civ. 23(f);
2. Response in Opposition filed by Respondents AH&H Leasing, LLC, et al.;

3. Response in Opposition filed by Respondent Aaron's, Inc;
4. Reply in Support of Petition for Permission to Appeal Pursuant to Fed. R. Civ. 23(f).

Respectfully,
Clerk/cjg

ORDER


The foregoing Petition for Permission to Appeal pursuant to Fed. R. Civ. 23(f) is granted.

By the Court,

s/ Thomas L. Ambro
Circuit Judge

Dated: June 16, 2014
CJG/cc: All Counsel

A True Copy:



Marcia M. Waldron
Marcia M. Waldron, Clerk

OFFICE OF THE CLERK

MARCIA M. WALDRON

CLERK



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June 16, 2014

Robert V Barth Jr.
United States District Court for the Western District of Pennsylvania
P.O. Box 1820
Erie, PA 16501

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

NOTICE

GRANT OF PERMISSION FOR LEAVE TO APPEAL

The Court of Appeals has granted a petition for leave to appeal in this matter.

The \$505.00 docketing and filing fee must be paid in the district court within 14 days after the entry of the order granting permission for leave to appeal, unless the petitioner is the United States government. Fed. R. App. P. 5. In addition, a cost bond must be filed if one is required under Fed. R. App. P. 7.

A notice of appeal does not need to be filed as a copy of the Court's order granting permission for leave to appeal which has been forwarded to the district court will serve as the notice of appeal.

The entry date of the order granting permission to appeal serves as the date of the filing of the notice of appeal for calculating time under the Federal Rules of Appellate Procedure. **Petitioner should notify the Court of Appeals in writing that the filing fee has been paid.**

Upon receipt of the notice from petitioner, the appeal will be opened on the general docket. All future filings regarding the appeal will be entered under the new docket number.

Very truly yours,

Marcia M. Waldron

Marcia M. Waldron,
Clerk

By: Caitlyn
Case Manager
267-299-4956

cc: Michael E. Begley, Esq.
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